REMARKS

The above-identified application is United States application serial number 10/678,987 filed on October 2, 2003. Claims 9-42 are pending. Claims 9-42 are rejected. Applicant respectfully traverses this rejection.

Rejection of Claims under35 U.S.C. §103

Claims 9-18, 21, 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (1,031,033) in view of Schmidt (5,277,449). Independent Claim 9 recites a "flexible enclosure being formed of a strong material arranged as an enclosure having a top, sides and bottom portions, said sides being flexible so that when said bag does not contain contents said top can be collapsed into said concave part in a storage position". Independent Claims 14 and 16 recite "a flexible enclosure…having a top, sides and bottom portions". Independent Claim 24 recites "a flexible enclosure…being formed of a strong material of a top, sides and bottom portions". Williams is cited as teaching the flexible enclosure, however the flexible enclosure in Williams includes side and bottom portions but does not include a top portion. Claims 9, 14, 16, and 24 are distinguishable from Williams and Schmidt, alone and in combination, for at least these reasons.

Independent Claims 1, 14, 16, and 24 further recite "said external rigid support member fitting only over substantially a quadrant of said flexible enclosure so that the remaining substantially three quadrants of said flexible enclosure are not enclosed by a support member". The Examiner admits that Williams does not teach or suggest this feature, and further states that it would have been obvious to modify the travel bag of Williams with the travel bag having four quadrants taught by Schmidt. The rigid support of Schmidt requires two half-shells and fits over at least half of the container (50), as shown in FIG. 1 of Schmidt. Thus, the combination of the container (50) from Schmidt with the rigid support taught in Williams does not teach or suggest "external rigid support member fitting only over substantially a quadrant of said flexible enclosure so that the remaining substantially three quadrants of said flexible enclosure are not enclosed by a support member". Claims 1, 14, 16, and 24 are distinguishable from Williams and Schmidt, alone and in combination, for at least these reasons.

Claims 10-13 and 31-33 depend from Claim 9; Claims 15 and 34-36 depend from Claim 14; Claims 17-23 and 37-39 depend from Claim 16; and Claims 25-30 and 40-42 depend from Claim 24, and include features that further distinguish them from the prior art. Allowance of Claims 9-42 is respectfully requested.

CONCLUSION

The application, including Claims 9-42, is believed to be in condition for allowance and a notice to that effect is solicited. Should any issues remain that might be subject to resolution through a telephone interview, the examiner is requested to telephone the undersigned at (949) 350-7301.

I hereby certify that this correspondence is being transmitted to the USPTO on the date shown below:

/Mary Jo Bertani/
(Signature)

Mary Jo Bertani
(Printed Name of Person Signing Certificate)

June 20, 2006
(Date)

Respectfully submitted,

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